

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON SEPTEMBER 23, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT AND ROBERT L. PROUD, VICE PRESIDENT. LET THE RECORD SHOW THAT COMMISSIONER CROSWELL WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 184-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **184-09** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor **09/21/09 in the total amount of \$5,143,797.77** and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING WITH THE OHIO BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION (BCI) TO OBTAIN BCI AND FBI CHECKS ON BEHALF OF SAME...09-0911-002...EXECUTED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board, to execute a Memorandum of Understanding by and between the County of Clermont, Ohio, and the Ohio Bureau of Criminal Identification and Investigation (BCI), P. O. Box 365, London, Ohio 43140 (Remittance Address: Treasurer State of Ohio, Ohio BCI&I Fiscal, P. O. Box 365, London, Ohio 43140), for participation in the National WebCheck Program to allow staff of the Department of Job and Family Services to obtain BCI and FBI Background Checks on new employees (including interns), potential in-home child care providers, and potential foster and/or adoptive parents, at the rates of \$22.00 and \$24.00, respectively, billed based on usage per month, effective 09/23/09 through 09/22/11, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...BIENNIAL REVIEW AND APPROVAL OF PROPOSED AMENDMENTS TO THE CLERMONT COUNTY PREVENTION, RETENTION AND CONTINGENCY (PRC) PLAN FOR SAME...05-0919-002...RATIFIED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to complete the Biennial Prevention, Retention and Contingency (PRC) Plan Review Process required by Chapter 5108 of the Ohio Revised Code and to approve Amendments to the Clermont County Department of Job and Family Services Prevention, Retention and Contingency (PRC) Plan, previously ratified by the Board of County Commissioners on 10/15/97 and subsequently amended on 02/18/98, 08/12/98, 01/12/99, 07/07/99, 01/05/00, 04/04/00, 06/14/00, 12/19/00, 03/27/01, 06/26/02, 10/22/02 (effective 10/07/02), 03/19/03, 05/19/04 (effective 06/01/04), 09/22/04, 01/11/05, 09/29/05 (effective 10/01/05), 03/22/06 (effective 04/01/06), 05/17/06, 11/01/06, 04/10/07 (effective 04/16/07), 09/18/07 (effective 10/01/07) and 07/16/08, to eliminate services including, but not necessarily limited to, Developmental Services, Kinship Navigator Services, Employment Support Services, Diversion Benefits and Contingency Services, as well as, modify services to include Family Disaster Assistance and Contingency Services and clarify language within the agreement, with all changes necessary due to the reduction in Temporary Assistance to Needy Families (TANF) Funding provided to the Clermont County Department of Job and Family Services in State Fiscal Year (SFY) 10 (07/01/09 through 06/30/10), with said plan changes to be effective 10/01/09.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...
DESIGNATION OF REAPPOINTMENTS TO THE CLERMONT
COUNTY HOUSING ADVISORY COMMITTEE...09-0828-
003...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to reappoint the following individuals to serve on the Clermont County Housing Advisory Committee to be responsible for providing the Board of County Commissioners a prioritized listing of specific housing needs and opportunities in regards to the future Community Housing Improvement Program (CHIP) and Community Development Block Grant (CDBG) Formula Allocation Program funding, as well as, to offer guidance on the development of policies that can address these needs and opportunities, effective 09/01/09 through 08/31/10:

Housing Advisory Committee Members	Representation
Edwin H. Humphrey	Board of County Commissioners
George Brown	Clermont Senior Services, Inc.
Stefan Olson	People Working Cooperatively, Inc.
Raymond Sebastian	Clermont County Building Inspection Department
Sara Kincaid	Clermont Metropolitan Housing Authority
Ed Rust	Community Resident
Billie Kuntz	Clermont County Community Services, Inc.
O’Neil Johnston	Clermont County Habitat for Humanity
India Davis	Spirit of America National Bank
Rita Hutchinson	Clermont Counseling Center
Tim McCartney	Clermont County Department of Job and Family Services
Tom Dix	Clermont County Township Association
Jim Fuhrman	Clermont County Realtor/Developer
Marcheta Gillam	Legal Aid Society of Greater Cincinnati
Marty Lambert	Clermont County General Health District
Andy McCreanor	Clermont 20/20, Inc.
Sharon Richmond	Clermont County Mental Retardation and Developmental Disabilities
Rachel J. (Powell) Kerr	The Bethel Building and Loan Company

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR
PUBLIC IMPROVEMENT MINOR PROJECTS WITH B & J
ELECTRICAL COMPANY, INC. FOR INSTALLATION OF A
REPLACEMENT GENERATOR FOR THE 800MHz TOWER SITE AT
THE GRANT CAREER CENTER LOCATED IN BETHEL, OHIO...09-
0910-002...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Public Improvement Minor Projects by and between the Board of County Commissioners, Clermont County, Ohio, and B & J Electrical Company, Inc., 6316 Wiehe Road, Cincinnati, Ohio 45237 for the installation of a replacement generator for the 800 MHz Tower Site at the Grant Career Center located at 718 West Plane Street, Bethel, Ohio 45106 in an amount not to exceed \$15,400.00, and to be completed within 90 days of Contractor’s receipt of signed contract and Notice to Proceed from the Clermont County Office of Technology, Communications and Security, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RELEASE OF A MAINTENANCE BOND AS SURETY FOR THE
INSTALLATION OF A WATER MAIN EXTENSION AND
ACCEPTANCE OF SAME INTO THE COUNTY WATER WORKS
SYSTEM...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to authorize the release of a Maintenance Bond which provided surety for the installation of a water main extension to serve the following location and to accept said water main extension into the County Waterworks System pursuant to the Clermont County Water Resources Department Rules and Regulations:

Location	Township	Water Bond
Clermont County Fairgrounds DC# 02-0916-004	Stonelick	\$1,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CONTRACT FOR PROFESSIONAL SERVICES WITH
ENVIRONMENTAL ENGINEERING & TECHNOLOGY, INC. FOR
PROJECT NUMBER 621-0043 RELATIVE TO THE MGS PLANT**

**EVALUATION/REHABILITATION PROJECT LOCATED WITHIN
MIAMI TOWNSHIP...09-0911-008...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and Environmental Engineering & Technology, Inc., 712 Gum Rock Court, Newport News, Virginia 23606 for Project Number 621-0043 relative to the MGS Plant Evaluation/Rehabilitation Project located within Miami Township, for a total amount not to exceed \$101,822.50, with said services to be completed within 360 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RESOLUTION NUMBER 185-09/RESOLUTION DETERMINING TO
MAKE IMPROVEMENTS KNOWN AS PROJECT NUMBER 651-0044
RELATIVE TO THE CONSTRUCTION, OPERATION AND
MAINTENANCE OF THE NINE MILE WASTEWATER TREATMENT
PLANT BAR RACK REPLACEMENT PROJECT LOCATED IN PIERCE
TOWNSHIP AND REQUEST TO ADVERTISE FOR BIDS FOR
SAME...09-0911-004 and 09-0911-005...RATIFIED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Matthew S. Smith, P.E., P.S., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt Resolution Number **185-09** determining to make improvements relative to the construction, operation, and maintenance of the Nine Mile Wastewater Treatment Plant Bar Rack Replacement Project located in Pierce Township as set forth in Exhibit A, attached thereto and made a part thereof, designated as Project Number 651-0044, and in conformance with the detailed plans, specifications and estimates of cost and financing as herein ratified and confirmed, all of which shall be paid from one or more of any combination of the Wastewater Replacement and Improvements Fund, Wastewater Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from sewer rates and charges levied for the operation of the Clermont County Wastewater System and subsequent thereto, to approve the request to advertise for bids for Project Number 651-0044, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 10/01/09, scheduling a non-mandatory Pre-Bid Meeting on 10/15/09 at 10:00 A.M., with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 10/29/09** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RESOLUTION NUMBER 186-09/RESOLUTION DETERMINING TO
MAKE IMPROVEMENTS KNOWN AS PROJECT NUMBER 621/651-
0045 RELATIVE TO THE CONSTRUCTION, OPERATION AND
MAINTENANCE OF THE WATER RESOURCES DEPARTMENT
MAINTENANCE/STORAGE BARN PROJECT LOCATED IN BATAVIA
TOWNSHIP AND REQUEST TO ADVERTISE FOR BIDS FOR
SAME...09-0911-006 AND 09-0911-007...RATIFIED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt Resolution Number **186-09** determining to make improvements relative to the construction, operation, and maintenance of the Water Resources Department Maintenance/Storage Barn Project located in Batavia Township as set forth in Exhibit A, attached thereto and made a part thereof, designated as Project Number 621/651-0045, and in conformance with the detailed plans, specifications and estimates of cost and financing as herein ratified and confirmed, all of which shall be paid from one or more of any combination of the Waterworks & Wastewater Replacement and Improvements Funds, Waterworks & Wastewater Capital Improvement Funds, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from water and sewer rates and charges levied for the operation of the Clermont County Waterworks & Wastewater Systems and subsequent thereto, to approve the request to advertise for bids for Project Number 621/651-0045 pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 10/01/09, scheduling a non-mandatory Pre-Bid Meeting on 10/15/09 at 10:00 A.M., with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 10/22/09** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CONTINGENT AWARD OF BID FOR PROJECT NUMBER 651-0123
RELATIVE TO THE CONSTRUCTION OF THE SHAYLER RUN
SEGMENT "C" SEWER REPLACEMENT PROJECT SITUATED
WITHIN UNION TOWNSHIP AND AUTHORIZING CERTIFICATION
OF THIS CONTINGENT AWARD TO THE VARIOUS FUNDING
AGENCIES FROM WHICH FINANCIAL ASSISTANCE HAS BEEN
REQUESTED OR COMMITTED THEREFORE FOR APPROVAL
THEREOF...09-0626-007...RATIFIED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to award the bid for Project Number 651-0123 relative to the construction of the Shayler Run Segment "C" Sewer Replacement Project situated within Union Township, pursuant to the plans and specifications, to Midwest Mole, Inc., 2460 North Graham Avenue, Indianapolis, Indiana 46218 for the lowest and best bid received on 08/20/09, at the item prices as outlined therein, for a total amount of \$15,218,033.00, contingent upon the approval and/or authorization to proceed from the Ohio Environmental Protection Agency (OEPA), the Ohio Water Development Authority (OWDA), and the Ohio Public Works Commission (OPWC) in and as it relates to financial

assistance heretofore requested and/or approved therefore through the Water Pollution Control Loan Fund (WPCLF) Loan Program/Application and/or the Ohio Public Works Commission Loan Agreement for Project Control Number CJ16K.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CONTRACT FOR PROFESSIONAL SERVICES WITH CH2M HILL, INC.
FOR PROJECT NUMBER 651-0052 RELATIVE TO THE WASTEWATER
MASTER PLAN UPDATE PROJECT FOR CLERMONT COUNTY,
OHIO...09-0828-008...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and CH2M Hill, Inc., 300 East Business Way, Suite 400, Cincinnati, Ohio 45241 for Project Number 651-0052 relative to the Wastewater Master Plan Update Project for Clermont County, Ohio, for a total amount not to exceed \$345,000.00, with said services to be completed within 365 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF A TUITION
ASSISTANCE APPLICATION FROM A CLERMONT COUNTY
EMPLOYEE...08-1117-004...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute a Tuition Assistance Application submitted by the following employee for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name
Clermont County Juvenile Detention Joshua Smith	Ethics & Public Policy Performance Management Dispute Resolution/Conflict Management Media Relations for Non-Profit & Government Entities

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY JUVENILE COURT...SUBGRANT AGREEMENT
BY AND AMONG THE CLERMONT COUNTY BOARD OF
COMMISSIONERS, THE CLERMONT COUNTY JUVENILE COURT
AND THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**FOR THE REIMBURSEMENT OF FOSTER CARE MAINTENANCE,
ADMINISTRATIVE, AND TRAINING COSTS RELATIVE TO THE
ADMINISTRATION OF THE TITLE IV-E PROGRAM FOR SAME...09-
0911-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute a Subgrant Agreement by and among the Clermont County Board of Commissioners, the Clermont County Juvenile Court and the Ohio Department of Job and Family Services, 30 East Broad Street, 32nd Floor, Columbus, Ohio 43215-3414 for the reimbursement of foster care maintenance, administrative, and training costs relative to Clermont County Juvenile Court's administration of the Title IV-E Program, with the total amount to be reimbursed not to exceed \$3,000,000.00 for State Fiscal Years 2010 and 2011, effective 07/01/09 through 06/30/11, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO
THROUGH TRAFFIC ON HAWLEY ROAD IN JACKSON
TOWNSHIP...09-0911-009...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize a temporary detour to through traffic on Hawley Road in Jackson Township for the period of **Monday, 10/05/09 through Friday, 10/09/09**, for a culvert replacement, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: COUNTY ENGINEER... REQUEST TO EXTEND THE COMPLETION
DATE FOR THE TEMPORARY DETOUR TO THROUGH TRAFFIC ON
OLD STATE ROUTE 32 IN BATAVIA TOWNSHIP...09-0312-
002...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to extend the completion date for the temporary detour to through traffic on Old State Route 32 in Batavia Township, previously approved by the Board of County Commissioners on 03/23/09, from **Monday, 10/05/09 to Friday, 12/18/09**, for a bridge replacement relative to the Old SR 32 Bridge Replacement Project Number BA-02-01, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: COUNTY ENGINEER...SHAYLER CROSSING TWO SUBDIVISION/
SECTION 5/UNION TOWNSHIP...RELEASE OF A COMBINED
PERFORMANCE-MAINTENANCE BOND AND ACCEPTANCE OF
STREETS INTO THE UNION TOWNSHIP PUBLIC ROAD SYSTEM...06-
0814-004...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond, previously converted to the maintenance bond phase, for the following subdivision within Union Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Union Township Public Road System:

Subdivision	Maintenance Bond	Street/Length (miles)
Shayler Crossing Two Subdivision Section 5 Union Township	\$11,000.00	Shayler Crossing (0.08) Woodsly Drive (0.21)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY MUNICIPAL COURT CLERK...LEASE
AGREEMENT AND ADDENDUM TO AGREEMENT FOR
APPLICATION 615856 WITH CANON FINANCIAL SOLUTIONS, INC.
AND MAINTENANCE AGREEMENT AND RIDER FOR EQUIPMENT
MAINTENANCE AGREEMENTS WITH CANON BUSINESS
SOLUTIONS, INC. FOR THE LEASE AND/OR MAINTENANCE OF
TWO CANON IMAGERUNNER 3245 COPIERS FOR SAME...09-0922-
001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Timothy R. Rudd, Clerk, Clermont County Municipal Court, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board, to execute a Lease Agreement and Addendum to Agreement for Application 615856 by and between the County of Clermont, Ohio, and Canon Financial Services, Inc., 14904 Collections Center Drive, Chicago, Illinois 60693 for the lease of two (2) Canon ImageRunner 3245 Copiers at a rate of \$377.00 per month for a period of forty-eight (48) months, as well as, a Maintenance Agreement and Rider for Equipment Maintenance Agreements by and between the County of Clermont, Ohio, and Canon Business Solutions, Inc., 300 Commerce Square Boulevard, Burlington, New Jersey 08016 for the maintenance of the two (2) Canon ImageRunner 3245 Copiers at the rate of \$810.72 for a period of twelve (12) months for 96,000 black & white copies with all black & white copies in excess thereof at a rate of \$0.00844 per copy pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
ACTIONS FOR FISCAL YEAR 2009...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009:

\$ 200,000.00	Certificate of Title Administration Fund	256-1160-7000	Reimbursements/Transfers/Advances
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CASH TRANSFER OF FUNDS:

\$ 200,000.00	From Certificate of Title Administration Fund 256-1160-7210 to General Fund 100-0100-4821-0256
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER
187-09/RESOLUTION PROPOSING THE CONSIDERATION OF ACCESS
MANAGEMENT REGULATIONS AND ESTABLISHMENT OF AN
ADVISORY COMMITTEE FOR SAME...09-0313-001...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to adopt Resolution Number **187-09** resolving to propose the consideration of Access Management Regulations for the purposes of promoting traffic safety and efficiency and maintaining proper traffic capacity and traffic flow on county and township roads in the unincorporated areas of Clermont County, Ohio; to request the Clermont County Engineer to draft the proposed Access Management Regulations and to issue the first meeting notice to an Advisory Committee for review thereof to take place within thirty (30) days after the completion of the Engineer’s proposed regulations; to establish an Advisory Committee to review the proposed regulations and to designate the appointment of members to serve on the Advisory Committee as outlined below, effective September 23, 2009, with a copy of the proposed Access Management Regulations and the Committee’s recommendations relative thereto to be provided to the Board of Clermont County Commissioners within two hundred seventy (270) days after the Committee’s initial meeting, pursuant to and in compliance with Sections 5552.02, 5552.04 and 5552.06 of the Ohio Revised Code:

Name	Position
Jeremy Evans	County Engineer or Engineer’s designee
Gary Nichols	Registered Surveyor in private practice
Jim Watson	Representative of the homebuilding industry
Richard Hoffman	Licensed realtor
Karl Schultz	Miami Township Trustee
Etta Reed	PE with expertise in traffic engineering
John Heilman	Representative of MPO
Lou Ethridge	Goshen Township Planning Director
Ed Humphrey	Clermont County Commissioner
Christopher Knoop	Pierce Township Trustee
Bob McGee	Union Township Trustee
Scott Croswell	Clermont County Commissioner
Scot Lahrmer	Clermont County Assistant Administrator

Craig Stephenson	Clermont County Engineer's Office
Christine Hilbert	ODOT
Dwayne Boso	County Planning Commission
Cory Wright	Representative of Township Trustee

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...AMENDMENT NUMBER 5 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. FOR PROFESSIONAL CONSULTING, HYDROGEOLOGIC AND ENGINEERING SERVICES RELATIVE TO THE INVESTIGATION AND POTENTIAL LITIGATION OF ISSUES RELATING TO THE ABER ROAD FACILITY OF CECOS INTERNATIONAL, IN CONCERT WITH THE CONTRACT FOR EMPLOYMENT OF LEGAL COUNSEL WITH SCHOTTENSTEIN, ZOX & DUNN, LPA...05-0705-006...EXECUTED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute Amendment Number 5 to the Contract for Professional Services by and between the County of Clermont, Ohio, and Bennett & Williams Environmental Consultants, Inc., 98 County Line Road West, Suite C, Westerville, Ohio 43082, previously ratified by the Board of County Commissioners on 07/06/05 and subsequently amended on 09/05/07, 03/19/08, 09/24/08, and 12/17/08, for the provision of professional consulting, hydrogeologic and engineering services relative to the investigation and potential litigation of issues relating to the past, present and future operations of and conditions at and emanating from the Aber Road facility of CECOS International located at 5092 Aber Road, Williamsburg, Ohio 45176, in concert with the Contract for Employment of Legal Counsel with Schottenstein, Zox & Dunn, LPA, The Huntington Center, 41 South High Street, Suite 2600, Columbus, Ohio 43215, which represents an increase in the amount of \$100,000.00 for a total revised contract amount not to exceed \$1,253,520.00, with all other terms and conditions of the original Contract and Amendments to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

LET THE RECORD SHOW: THAT THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS RECESSED REGULAR SESSION AT 1:31 P.M. TO BE RECONVENED AT 2:00 P.M. THIS DATE.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 2:00 P.M.

IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING RELATIVE TO THE PROPOSED VACATION OF AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 IN THE ADDITION TO KALDY MEMORIAL SUBDIVISION IN UNION TOWNSHIP...09-0811-004...

LET THE RECORD SHOW: THAT COMMISSIONERS EDWIN H. HUMPHREY AND ROBERT L. PROUD, AND CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, VIEWED AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 IN THE ADDITION TO KALDY MEMORIAL

SUBDIVISION IN UNION TOWNSHIP PROPOSED TO BE VACATED ON 09/23/09 AT 10:00 A.M.

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS HELD THIS DATE AT 2:00 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960 TO AFFORD PUBLIC COMMENT ON THE PROPOSED VACATION OF AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 IN THE ADDITION TO KALDY MEMORIAL SUBDIVISION IN UNION TOWNSHIP.

THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M.

JUDITH KOCICA, CLERK OF THE BOARD, READ INTO THE RECORD THE NOTICE OF PUBLIC HEARING RELATIVE TO THE REQUEST TO VACATE AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 IN THE ADDITION TO KALDY MEMORIAL SUBDIVISION IN UNION TOWNSHIP.

CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS STATING THAT THE LEGAL DESCRIPTION AND PLAT ARE COMPLETE AND ACCEPTABLE FOR VACATION PURPOSES. HE STATED THE AREA PROPOSED TO BE VACATED WILL NOT CREATE ANY LANDLOCKED PARCELS, NOR DOES IT CONTAIN ANY ROAD MILEAGE REIMBURSED BY THE OHIO DEPARTMENT OF TRANSPORTATION. MR. RISNER ALSO STATED THAT A SIGNED MYLAR VACATION PLAT WILL BE REQUIRED UPON APPROVAL OF THE PROPOSED VACATION BY THE BOARD OF COUNTY COMMISSIONERS.

ROBERT LEE WAITS, 4513 WEINER LANE, CINCINNATI, OHIO 45244 ADDRESSED THE BOARD IN OPPOSITION OF THE PROPOSED VACATION. MR. WAITS STATED HIS CONCERNS THAT THE PROPOSED VACATION WOULD HINDER FUTURE DEVELOPMENT OF HIS PROPERTY.

NO WRITTEN COMMENTS WERE RECEIVED EITHER IN FAVOR OF, OR IN OPPOSITION TO THE PROPOSED VACATION.

COMMISSIONER PROUD INQUIRED AS TO THE DEVELOPMENT OF THE 12 FOOT WIDE UNNAMED ALLEY AS AN ACCESS AND COMMISSIONER HUMPHREY STATED THAT THE CURRENT USE APPEARS TO BE A DRAINAGE SWALE BETWEEN THE TWO ABUTTING PARCELS AND THE LIKELIHOOD OF ANY DEVELOPMENT OF THE UNNAMED ALLEY WOULD CERTAINLY HAVE TO FACTOR IN ANY DRAINAGE ISSUES.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, A MOTION BY MR. CROSWELL, AND SECONDED BY MR. PROUD, TO CONCLUDE THIS PUBLIC HEARING AT 2:08 P.M. CARRIED.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 188-09/RESOLUTION DETERMINING TO VACATE AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 IN THE ADDITION TO KALDY MEMORIAL SUBDIVISION IN UNION TOWNSHIP...09-0811-004...ADOPTED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 188-09** determining to vacate an Unnamed Alley between Lot Number 2 and Lot Number 3 in The Addition to Kaldy Memorial Subdivision in Union Township, Clermont County, Ohio, as described therein, pursuant to and in compliance with Section 5553.04 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Humphrey, to approve the minutes of Work Session of **08/10/09 and 08/12/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **09/23/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:09 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 09/23/09